

United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

V.

**ORDER OF TEMPORARY DETENTION
PENDING HEARING PURSUANT TO
BAIL REFORM ACT**

LAMARR MCELDERRY

Defendant:

Case Number: 08-134-M

Upon motion of the **Government**, it is ORDERED that a **Preliminary Hearing** and
Detention Hearing is set for 7/31/2008 * at 1:00 p.m.
Date _____ Time _____

before HONORABLE LEONARD P. STARK, UNITED STATES MAGISTRATE JUDGE
Name of Judicial Officer

COURTROOM #2A, 2ND FLOOR, BOGGS FEDERAL BLDG., 844 KING ST., WILMINGTON, DE
Location of Judicial Officer

Pending this hearing, the defendant shall be held in custody by (the United States Marshal) (_____)

and produced for the hearing.

JULY 29TH, 2008

Date

Judicial Officer

*If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the Government, or up to five days upon motion of the defendant. 18 U.S.C. §3142(f)(2).

§3142(f)(2) A hearing is required whenever the conditions set forth in 18 U.S.C. §3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the Government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the Government or upon the judicial officer's own motion if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror.